

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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BRICKMAN INVESTMENTS, INC.,	:	Civil Action No. 1:07-cv-11086-DAB
Individually and On Behalf of All Others	:	
Similarly Situated,	:	<u>CLASS ACTION</u>
	:	
Plaintiff,	:	
	:	
vs.	:	
	:	
SECURITY CAPITAL ASSURANCE LTD.,	:	
et al.,	:	
	:	
Defendants.	:	
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2 WEST, INC., On Behalf of Itself and All	:	Civil Action No. 1:07-cv-11358-DAB
Others Similarly Situated,	:	
	:	<u>CLASS ACTION</u>
Plaintiff,	:	
	:	
vs.	:	
	:	
SECURITY CAPITAL ASSURANCE LTD.,	:	
et al.,	:	
	:	
Defendants.	:	
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NOTICE OF MOTION FOR CONSOLIDATION, APPOINTMENT AS LEAD PLAINTIFFS  
AND FOR APPROVAL OF SELECTION OF LEAD COUNSEL

	X	
ROBERT CLARKE, Individually and On	:	Civil Action No. 1:08-cv-00158-DAB
Behalf of All Others Similarly Situated,	:	
	:	<u>CLASS ACTION</u>
Plaintiff,	:	
	:	
vs.	:	
	:	
SECURITY CAPITAL ASSURANCE LTD.,	:	
et al.,	:	
	:	
Defendants.	:	
	:	
	X	

PLEASE TAKE NOTICE that Institutional Investors United Food & Commercial Workers Union Local 655, AFL-CIO, Food Employers Joint Pension Plan (“United Food & Commercial Workers Pension Plan”) and District No. 9, I.A. of M. & A.W. Pension Trust (“District No. 9 Pension Trust”) will hereby move this Court, on a date and at such time as may be designated by the Court, for an Order (attached hereto as Exhibit A): (i) consolidating the Actions; (ii) appointing United Food & Commercial Workers Pension Plan and District No. 9 Pension Trust as Lead Plaintiffs; (iii) approving United Food & Commercial Workers Pension Plan and District No. 9 Pension Trust’s selection of the law firm of Coughlin Stoia Geller Rudman & Robbins LLP to serve as Lead Counsel; and (iv) granting such other and further relief as the Court may deem just and proper. In support of this Motion, United Food & Commercial Workers Pension Plan and District No. 9 Pension Trust submit herewith a Memorandum of Law and Declaration of Mario Alba Jr., dated February 5, 2008.

DATED: February 5, 2008

COUGHLIN STOIA GELLER  
RUDMAN & ROBBINS LLP

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*/s/ Mario Alba Jr.*  
MARIO ALBA JR.

SAMUEL H. RUDMAN  
DAVID A. ROSENFELD  
MARIO ALBA JR.  
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[Proposed] Lead Counsel for Plaintiffs

**CERTIFICATE OF SERVICE**

I, Mario Alba Jr., hereby certify that, on February 5, 2008, I caused a true and correct copy of the attached:

Notice of Motion for Consolidation, Appointment as Lead Plaintiffs and for Approval of Selection of Lead Counsel;

Memorandum of Law in Support of the Motion of United Food & Commercial Workers Union Local 655, AFL-CIO, Food Employers Joint Pension Plan and District No. 9, I.A. of M. & A.W. Pension Trust for Consolidation, Appointment as Lead Plaintiffs and for Approval of Selection of Lead Counsel; and

Declaration of Mario Alba Jr. in Support of the Motion of United Food & Commercial Workers Union Local 655, AFL-CIO, Food Employers Joint Pension Plan and District No. 9, I.A. of M. & A.W. Pension Trust for Consolidation, Appointment as Lead Plaintiffs and for Approval of Selection of Lead Counsel,

to be served: (i) electronically on all counsel registered for electronic service for this case; and (ii) by first-class mail to any additional counsel.

/s/ Mario Alba Jr.

Mario Alba Jr.

SECURITY CAPITAL ASSURANCE 07

Service List - 2/4/2008 (07-0272)

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SECURITY CAPITAL ASSURANCE 07

Service List - 2/4/2008 (07-0272)

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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BRICKMAN INVESTMENTS, INC.,	:	Civil Action No. 1:07-cv-11086-DAB
Individually and On Behalf of All Others	:	
Similarly Situated,	:	<u>CLASS ACTION</u>
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Plaintiff,	:	
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vs.	:	
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SECURITY CAPITAL ASSURANCE LTD.,	:	
et al.,	:	
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Defendants.	:	
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2 WEST, INC., On Behalf of Itself and All	:	Civil Action No. 1:07-cv-11358-DAB
Others Similarly Situated,	:	
	:	<u>CLASS ACTION</u>
Plaintiff,	:	
	:	
vs.	:	
	:	
SECURITY CAPITAL ASSURANCE LTD.,	:	
et al.,	:	
	:	
Defendants.	:	
	:	
	X	

[PROPOSED] ORDER CONSOLIDATING THE ACTIONS, APPOINTING LEAD  
PLAINTIFFS AND APPROVING SELECTION OF LEAD COUNSEL

		X
ROBERT CLARKE, Individually and On	:	Civil Action No. 1:08-cv-00158-DAB
Behalf of All Others Similarly Situated,	:	
	:	<u>CLASS ACTION</u>
Plaintiff,	:	
	:	
vs.	:	
	:	
SECURITY CAPITAL ASSURANCE LTD.,	:	
et al.,	:	
	:	
Defendants.	:	
	:	
	X	



Having considered the Motion of United Food & Commercial Workers Union Local 655, AFL-CIO, Food Employers Joint Pension Plan (“United Food & Commercial Workers Pension Plan”) and District No. 9, I.A. of M. & A.W. Pension Trust (“District No. 9 Pension Trust”) for Consolidation, Appointment as Lead Plaintiffs and Approval of Selection of Lead Counsel and the Memorandum of Law and Declaration of Mario Alba Jr., in support thereof, and good cause appearing therefor:

1. The Actions are hereby consolidated;
2. United Food & Commercial Workers Pension Plan and District No. 9 Pension Trust are hereby appointed Lead Plaintiffs for the Class pursuant to Section 27 of the Securities Act of 1933 and Section 21D of the Securities Exchange Act of 1934; and
3. The law firm of Coughlin Stoia Geller Rudman & Robbins LLP is hereby appointed Lead Counsel.

IT IS SO ORDERED.

DATED: \_\_\_\_\_

\_\_\_\_\_  
THE HONORABLE DEBORAH A. BATTS  
UNITED STATES DISTRICT JUDGE

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